

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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In Re:

Victor Polizzotti



Order Filed on November 14,
2017 by Clerk U.S. Bankruptcy
Court District of New Jersey

Case No.: 16-25962

Chapter: 13

Hearing Date: 11/21/2017

Judge: Jerrold N. Poslusny, Jr.

**ORDER APPROVING LOAN MODIFICATION AGREEMENT
REACHED BETWEEN THE SECURED CREDITOR AND DEBTOR(S)**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: November 14, 2017

A handwritten signature in dark ink, appearing to read "J. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Victor Polizzotti

Case No.: 16-25962

Order Approving Loan Modification Agreement reached between the Secured Creditor and Debtor(s)

THIS MATTER being opened to the Court by Bruno Bellucci, III, Esquire, of BellucciLaw, P.C., attorney for Debtor, Victor Polizzotti, and the Court having heard oral argument by counsel and for good cause shown; it is hereby

ORDERED, ADJUDGED AND DECREED that the Debtor and Secured Creditor are hereby authorized to enter into a loan modification; and it is further

ORDERED that communications and/or negotiations between Debtor and mortgagee/mortgage servicer regarding loss mitigation or loan modification shall not be deemed a violation of the Automatic Stay; and it is further

ORDERED that any communication or negotiation shall not be used by either party against the other in any subsequent litigation; and it is further

ORDERED that the Debtor shall file a modified plan and amend Schedule J within twenty (20) days of this Order; and it is further

ORDERED that the Debtor shall complete the loan modification documents and forward any required contribution to Secured Creditor; and it is further

ORDERED that the counsel for Debtor shall be awarded a \$500.00 counsel fee to be paid through the plan for filing and prosecuting this Motion; and it is further

ORDERED that in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, secured creditor shall amend the arrearage portion of its proof of claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification; and it is further

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Debtor: Victor Polizzotti

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ORDERED that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of loan modification and all money that would otherwise be paid to secured creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the secured creditor that the modification was not consummated; and it is further

ORDERED that in the event the modification is not consummated, the secured creditor shall notify the Trustee and debtor's attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to secured creditor; and it is further

ORDERED that in the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan.